

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-440-E - ORDER NO. 2008-287

APRIL 14, 2008

IN RE: Application of Duke Energy Carolinas, LLC)	ORDER SETTING ORAL
for Approval of Decision to Incur Nuclear)	ARGUMENTS AND
Generation Pre-Construction Costs for the Lee)	HEARING
Nuclear Station in Cherokee County)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) with regard to various discovery matters in this Docket related to the prudence of pre-construction costs for the proposed Duke Energy Carolinas, LLC (“Duke” or “the Company”) Lee Nuclear Station.

A Notice of Limited Appearance has been filed in this Docket on behalf of Westinghouse Electric Company, LLC and Stone & Webster, Inc. Also, two separate Motions for Protective Order have been filed by, first, Duke, and, second, Westinghouse Electric Company, LLC and Stone & Webster, Inc. In addition, the Intervenor Friends of the Earth opposes Duke’s Motion and requests an opportunity to respond. Further, the Friends of the Earth have also indicated that they intend to file a Motion to Compel discovery allegedly withheld by Duke. The Commission has already set aside Thursday, April 17, 2008, at 10:30 AM, for a hearing on the merits of this case. In light of the complexity of the discovery issues before this Commission in this Docket, we hold that the April 17, 2008, at 10:30 AM date and time shall be used for oral arguments on any

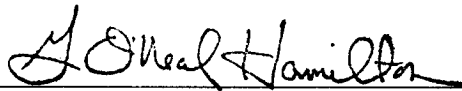
outstanding discovery motions that remain at that time. The hearing on the merits of the case shall begin on Monday, May 12, 2008 at 10:30 AM.

While this Commission stands ready to make rulings regarding the discovery disputes before us, we strongly urge the entities involved in this matter to work towards a reasonable resolution of the discovery issues in the case without the necessity of a ruling, so that this Commission and the parties may move on to focus on the prudence of Duke's decision to continue to incur pre-construction costs, as directed by S.C. Code Ann.

Section 58-33-225 (Supp. 2007), for the proposed Lee Nuclear Station.

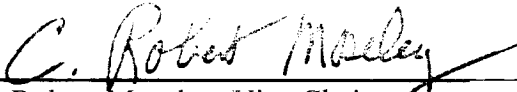
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)